

NONPRECEDENTIAL DISPOSITION

To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals**For the Seventh Circuit****Chicago, Illinois 60604**

Submitted May 28, 2024*

Decided May 29, 2024

BeforeFRANK H. EASTERBROOK, *Circuit Judge*MICHAEL B. BRENNAN, *Circuit Judge*JOSHUA P. KOLAR, *Circuit Judge*

No. 24-1325

UNITED STATES OF AMERICA,
*Plaintiff-Appellee,**v.*JAIME WILLIAMS,
*Defendant-Appellant.*Appeal from the United States District
Court for the Western District of
Wisconsin.

No. 20-cr-145-jdp

James D. Peterson,
*Chief Judge.***ORDER**

Jaime Williams, a federal prisoner, appeals the denial of his motion for compassionate release under 18 U.S.C. § 3582(c)(1)(A)(i). Because the district court properly ruled that Williams raises no extraordinary and compelling reason for release, we affirm.

* The appellee is not participating in this appeal. We have agreed to decide the case without oral argument because the appellant's brief and record adequately present the facts and legal arguments, and oral argument would not significantly aid the court. FED. R. APP. P. 34(a)(2)(C).

Williams pleaded guilty to possessing a firearm as a felon in violation of 18 U.S.C. § 922(g)(1) and was sentenced in 2021 to 63 months' imprisonment. In December 2023, Williams moved for compassionate release under 18 U.S.C. § 3582(c)(1)(A)(i) based on (1) the unexpectedly harsh conditions of his confinement brought about by the COVID-19 pandemic; (2) his participation in every rehabilitation program offered at the prison; and (3) the effect that the Supreme Court's decision in *New York State Rifle & Pistol Association v. Bruen*, 597 U.S. 1 (2022), would have on his sentence for violating § 922(g)(1) if he was sentenced today.

Without inviting the government's response, the district court denied the motion. First, the court explained that pandemic-related precautions at a prison were not extraordinary and compelling reasons for release. Second, the court found that Williams's rehabilitation efforts, alone, were not an extraordinary and compelling reason for relief. Last, the court concluded that Williams could not use the compassionate-release statute as a vehicle to challenge any errors in his underlying conviction or sentence.

On appeal, Williams renews his challenge regarding his conviction under § 922(g)(1), contending that his conviction may have been invalid if he been convicted today. But as the district court correctly observed, a compassionate-release motion may not be used as an end run around a direct appeal or collateral attack. *See United States v. Brock*, 39 F.4th 462, 466 (7th Cir. 2022). We note that the Sentencing Commission's 2023 amendments to the Guidelines permits some defendants to seek early release based on intervening changes in constitutional or criminal law, *see* U.S.S.G. § 1B1.13(b)(6), but those amendments limit eligibility to defendants who—unlike Williams—have served at least ten years of their sentence.

Williams also rehashes his arguments about the pandemic-related conditions at his prison and his participation in rehabilitation programs. But the district court appropriately exercised its discretion in rejecting these arguments. Williams gave the court no reason to suggest that the prison's response to the COVID-19 pandemic created an overly harsh sentence. *See United States v. Joiner*, 988 F.3d 993, 996 (7th Cir. 2021). Further, his participation in rehabilitation programs is “common rather than extraordinary,” *United States v. Vaughn*, 62 F.4th 1071, 1072 (7th Cir. 2023), and insufficient as an independent basis to warrant early release, *see United States v. Peoples*, 41 F.4th 837, 841 (7th Cir. 2022).